

Attorney Docket # : 202-19(CIP-II)

3713/4
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Richard Leifer

Serial No.: 10/092,742

Filed: March 7, 2002

For: Dedicated Wireless Digital Video Disc (DVD)
Controller for Video Game Consoles

Examiner: Brockett, J.
Group Art: 3713

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 22, 2004

(Date of Deposit)

John G. Tutunjian

Name of applicant, assignee or Registered Representative

Signature

March 22, 2004

Date of Signature

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE

TECHNOLOGY CENTER R3700

The Office Action mailed January 29, 2004 has been reviewed and carefully considered.

Claims 1-32 stand rejected under the judicially created doctrine of obviousness-type double patenting in view of U.S. Patent Nos. 6,565,441 and 6,565,440.

As evidenced by the enclosed assignment recordation form, the present application and U.S. Patent Nos. 6,565,441 and 6,565,440 are commonly owned by Arista Enterprises Inc.

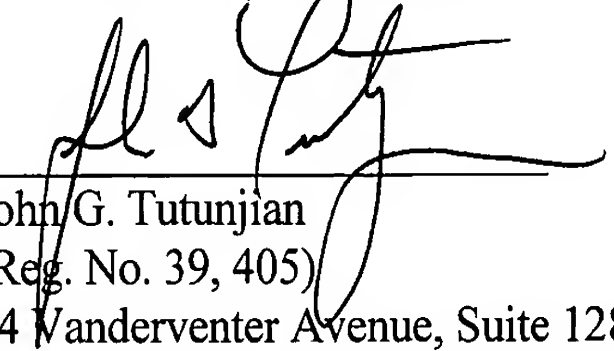
In response to these rejections and in view of the common ownership, applicant's representative submits herewith two (2) fully executed Terminal Disclaimers, disclaiming the portion of the patent that would extend beyond the expiration of U.S. Patents 6,565,441 and 6,565,440. In addition the Terminal disclaimer fee of \$55.00 (small entity) set forth in 37 CFR 1.20(d) is also enclosed for each disclaimer filed.

Claims 1-8, 18, 20-27 stand rejected under 35 USC 102(f). Applicant has assigned its entire interest in this application to Arista Enterprises Inc., and as such this application is commonly owned by the entity which owns USP 6,565,440.

In view of the foregoing, Applicant respectfully requests that the rejection of the claims set forth in the Office Action of January 29, 2004 be withdrawn, that pending claims 1-32 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-1433.

Respectfully submitted,
KEUSEY, TUTUNJIAN & BITETTO, P.C.



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Dated: March 22, 2004